

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**UNITED STATES OF AMERICA,**

**v.**

**DAMAZO ACOSTA, JR.,**

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**NO. 5:04-CR-35**

**ORDER**

This matter is before the Court on Defendant Damazo Acosta's Objections to Magistrate Judge's Report and Recommendation on Motion to Suppress (Doc. No. 61). On March 7, 2005, the Report and Recommendation of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the denial of Defendant's Motion to Suppress (Doc. No. 31) was presented for consideration. By March 23, 2005, no objections were filed, and the Court adopted the Report and Recommendation. However, at the pretrial conference held on July 5, 2005, the Court revisited this matter and extended the time for Defendant to file objections to the Magistrate Judge's Report and Recommendation. Defendant's objection are now before the Court.

The Court, having considered the Magistrates Report and Recommendation, Defendant objection thereto, the corresponding transcript of the proceeding before the Magistrate, and a video of the traffic stop and arrest in this matter, finds Defendant's objections are without merit. The Court hereby adopts the well reasoned Report and Recommendation of the Magistrate Judge. Accordingly, it is hereby

**ORDERED** that Defendant's Motion to Suppress (Doc. No. 21) is **DENIED**.

**SIGNED this 2nd day of August, 2005.**



DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE